

NEW LEGISLATION TENDS TO BUILD EYES IS ADVISED

Magistrate Simpson Reports
to District Attorney At-
ter an Inquiry.

PREMIUM CURB URGED

Maximum of 3 Per Cent. for
All Services Is Fair, Of-
ficial Contends.

RELIEF FOR POOR NEEDED

Many Innocent Persons Lie in
Jail Awaiting Trial as
Families Suffer.

The enactment of stringent laws governing bail bond premiums and other legislation calculated to cure existing evils is suggested in a report filed yesterday by City Magistrate George W. Simpson covering the results of his recent John Doe inquiry into the abuses of the bail bond system. The Magistrate's report was delivered to William A. McQuade, assistant District Attorney, who conducted the inquiry for District Attorney Swann, who had been advised in a letter from the Mayor of certain alleged irregularities in connection with the liberation of many notorious criminals pending disposition of their cases.

The Magistrate's report finds no tangible evidence to support the charges that stolen property was being put up as bail, but expresses the opinion that this was probable in some instances. It contains the statement that the inquiry developed no evidence to warrant criminal proceedings against any one, but it reviews the developments of the hearings at great length and finds much room for reform.

Reforms Urged by Magistrate.

The Magistrate's views on this point are concisely embodied in the following proposals for statutory amendments:

"1. The fixing of the maximum charge or premium for direct or office bail bond business at 2 per cent. of the bond.

"2. The fixing of the maximum total charge for all services rendered, including premium at 3 per cent. of the bond; making any and all charges above 3 per cent. prima facie excessive and illegal; permitting an excess charge above 3 per cent. to cover extraordinary circumstances, with the burden of establishing the reasonableness and legality of such excess charge upon persons or corporations receiving the same.

"3. Requiring the total amount and premium paid and to whom paid for bail bonds to be indorsed upon the application for the bond, where there is one, and also upon the bond itself.

"4. Requiring the Judge approving or rejecting the bond to inquire into (1) the reasonableness of the amount or charge for the same where the amount appears thereon to be in excess of 2 per cent. of the bond, and when the amount paid is unreasonable or excessive he shall direct the institution of legal proceedings for such violation; and (2) the bona fide character of the collateral furnished and authorizing the rejection and disapproval of the bond if he is satisfied the collateral therefor is stolen property.

"5. Prohibiting lawyers from signing indemnity agreements in criminal cases.

"6. Prohibiting, underwriting authority being vested in persons working on commission.

"7. Making the violation of any of the provisions of any of the foregoing sections a misdemeanor.

"8. Enacting a law in this State similar to the New Jersey law creating a crime on the lands of the State at the time of the acknowledgment of the bond.

"9. Licensing System Opposed.

Magistrate Simpson states that he does not favor the proposals for a local licensing system. The report says it is apparent that in many cases innocent families have been gouged unmercifully as a result of their efforts to keep some member from languishing in jail while awaiting trial.

"One of the evils disclosed," it states, "was the fact that there is no limitation at the present time, either by law or by instructions from the majority of surety companies to their representatives, as to charges for alleged or actual extra service in connection with the furnishing of bail bonds.

The report points out that while ordinary defendants of poor circumstances who are presumed to be innocent until convicted, suffer severely from the present system, pickpockets, street walkers and notorious criminals experience no difficulty in obtaining bail through professional bondsmen and professional indemnitors.

"Although not legally proved, I am morally certain that some professional bondsmen and professional indemnitors accept collateral security in the form of stolen jewelry, bonds, merchandise and other articles of value, and release them from their custody and use them for their own purposes, and that one professional indemnitor, despite the fact that he asserted upon examination that he had received nothing from a criminal whose flight cost him about \$3,000, did in fact place the same similar services for other alleged offenders.

"The establishment of a private fund to be used under conditions for the release of worthy poor on bail, pending their examination and trial, would be an act of great philanthropy," the report reads, "and would save many individuals and homes from destruction, the breadwinners in many cases remaining in jail for months and sometimes years, before being discharged solely because of inability to raise bail.

The Magistrate expresses the opinion that discontinuance of the bail bond business by the surety companies would be extremely unfortunate. He does not think that underwriting authority should be given to an agent on commission because instances of overcharges by such agents have been brought to light.

ST. PATRICK UP TO DATE.

The St. Patrick's Day parade will be held March 17, with Lieut.-Col. Alexander E. Anderson of the old Sixty-ninth as grand marshal. Roderick J. Kennedy presided yesterday at a meeting of the parade and celebration committee at 165 East Eighty-eighth street.

It was decided to make the parade a protest against the conduct of British soldiers in Ireland.

Census Here Gives Negro Gain 66 P.C.; Whites, 16.9

WASHINGTON, Feb. 25.—The negro population of New York city at the time of the 1910 census was 153,088, an increase of 61,379, or 66.9 per cent., the Census Bureau announced today.

The white population was 5,459,004, an increase of 789,842, or 16.9 per cent., and all others 7,956.

Negroes in Boston numbered 16,862, an increase of 2,798, or 20.6 per cent. The whites totalled 730,486, an increase of 74,790, or 11.4 per cent., and all others 1,212.

TWO BANDIT RAIDS YIELD \$70,000 LOOT

Continued from First Page.

safe in the office bore the name of Mary H. Kessler.

The watch participated in the downtown holdup. They walked into the office of Katzko & Co., manufacturing jewelers, on the ninth floor of 206 Broadway, at about 12:30 P. M. Joseph Malorana, a partner in the firm, was alone in the place at the time.

The robbers pulled guns as they entered. The jeweler said, and demanded that he elevate Kessler. One moved guard over him, he told detectives, while the second went to the safe and various jewelry cases, selecting pieces of jewelry worth about \$70,000 in value.

One of the robbers hit Mr. Malorana on the head with the butt of his pistol as they were about to leave.

The jeweler slipped into a chair partly unconscious. He still was sitting in this chair when a Mrs. Elida Kohn, who lives in Brooklyn, called for a piece of jewelry she had left to be repaired. The woman asked the jeweler what had happened when she saw him sitting in the chair with his head in his hands and blood trickling from a cut on the forehead.

She ran into the hallway and notified the elevator man, who called a policeman from the street. Mr. Malorana could supply only meagre descriptions of the robbers. They were men, he said, dressed in suits, one of whom was valued at \$30,000, the jeweler said is fully covered by insurance.

The murder of Modesta Anadolagina, the watchman, was discovered when Frank Roma, 123 Avenue U, Brooklyn, an employee of the Thalia Theatre, noticed that the lock on the Elizabeth street door had been broken. He called for help, and the watchman, who had happened when she saw him sitting in the chair with his head in his hands and blood trickling from a cut on the forehead.

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